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Dated: June 20, 2006

Signature:

(Michael H. Teschner)

Docket No.: LOREAL 3.0-045  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Sylvie Genard

Application No.: 10/764,158

Group Art Unit: 1654

Filed: January 23, 2004

Examiner: S. S. Shirali

For METHOD FOR SYNTHESIZING KPV  
TRIPEPTIDE DIAMIDE DERIVATES

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This communication is in response to the Office Action mailed April 4, 2006, setting forth a Restriction Requirement in the above-identified application. In the Office Action, the Examiner required restriction to one of the following inventions under 35 U.S.C. §121:

I. Claims 1-19, 27, 28, and 32-38, drawn to a method of making a KPV tripeptide diamine, classified in class 530, subclass 333.

II. Claims 20-25, and 39-44, drawn to a compound comprising KPV tripeptide diamine, classified in class 530, subclass 333.

III. Claims 29-31, drawn to treating dry skin using

KPV tripeptide diamine, classified in class 514/18.

IV. Claim 45, drawn to a method of making a composition classified in class 514/18.

In response, Applicant hereby elects the invention of Group I, corresponding to claims 1-19, 27, 28, and 32-38. This election is made with traverse. Applicant reserves the right to file a divisional application corresponding to the non-elected claims.

Applicant respectfully requests modification of the restriction to combine Groups I and II. Specifically, the examiner has not established that performing a search for the claims of Group I and the claims of Group II will result in an undue burden. Indeed, the examiner has stated that Groups I and II are both "classified in class 530, subclass 333." (Official Action, page 2). Since the class and subclass are identical for each Group, a search for one Group would necessarily require a search for the other Group. Thus, it is respectfully submitted that there will not be an undue burden on searching for the examiner. As such, Groups I and II should be combined.

In the event any fee is due in connection with the present response, the Examiner is authorized to charge Applicant's Deposit Account No. 12-1095 therefor.

Dated: June 20, 2006

Respectfully submitted,

By 

Michael H. Teschner

Registration No.: 32,862

LERNER, DAVID, LITTENBERG,

KRUMHOLZ & MENTLIK, LLP

600 South Avenue West

Westfield, New Jersey 07090

(908) 654-5000

Attorney for Applicant